IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO.9794 of 2005

Between:

Chatla Yesaiah S/o Venkaiah, 60 years,
R/o Ramapuram (V), Dachepally (M), Guntur District.

...PETITIONER

AND

1. The Station House Officer, Sathenapally Police Station, Guntur District.
2. The Superintendent of Police, Guntur District.
3. The Director General of Police & Inspector General Police, Lakdikapool, Hyderabad.
4. The Home Secretary, Department of Home, Secretariat Buildings, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders more particularly one in the nature of writ of Habeas direct the respondents herein to produce the detenue namely Mr. Machavarapu Mariya Das @ Murali S/o Ananda Rao, 24 years, Occ: Maoist Party Member R/o Ramapuram (V) Dachempally(m), Guntur District, before the Hon'ble Court and records the statements of the detenue and set him free and basing on his statement this Hon'ble Court may be pleased to direct the Respondent No.4 herein to conduct an enquiry into the arrest, torture and illegal detention and basing on the report the

Hon'ble Court punish the erring police Official and award appropriate compensation to the detenue herein.

Counsel for the Petitioner: MR.V.RAGHUNATH

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following:

THE HON'BLE MR JUSTICE GODA RAGHURAM

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO.9794 of 2005

ORDER: (Per the Hon'ble Dr Justice G.Yethirajulu)

This Writ Petition is filed with a grievance that the alleged detenu was unlawfully detained. Therefore, a direction has to be issued to the respondents to cause the production of the detenu by name Machavarapu Mariya das @ Murali and to set him free. The petitioner alleged that the detenu was unlawfully detained at 8 pm on 23.04.2005.

The learned Advocate General represented that a crime covered by Crime No.12 of 2005 was registered against the petitioner for the offences punishable under Section 307 of the Indian Penal Code, Sections 4 and 5 of the Explosive Substances Act and Section 8 (1) of the A.P. Public Security Act of Sathenapalli Police station. He was arrested on 01.05.2005 at about 2 am in the said crime and he was produced

before the Additional Munsif Magistrate, Satthenapalli on the same day and was remanded to judicial custody. In the light of the submissions made by the respondents, no further action is warranted.

The Writ Petition is accordingly dismissed.

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(GODA RAGHURAM, J)

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(G.YETHIRAJULU, J)

3rd May 2005

RRB

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ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Station House Officer, Sathenapally Police Station, Guntur District.
2. The Superintendent of Police, Guntur District.
3. The Director General of Police & Inspector General Police, Lakdikapool, Hyderabad.
4. The Home Secretary, Department of Home, Secretariat Buildings, Hyderabad.
5. Two CCs to the Advocate General, High Court Buildings, Hyderabad (OUT).
6. Two CD copies.